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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,016	02/24/2004	Yuzuru Suzuki	31647-7	3960
20350	7590	05/02/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			PRESTON, ERIK D	
TWO EMBARCADERO CENTER			ART UNIT	PAPER NUMBER
EIGHTH FLOOR			2834	
SAN FRANCISCO, CA 94111-3834				

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/787,016	SUZUKI ET AL.
Examiner	Art Unit	
Erik D. Preston	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 and 9-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/24/2004</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

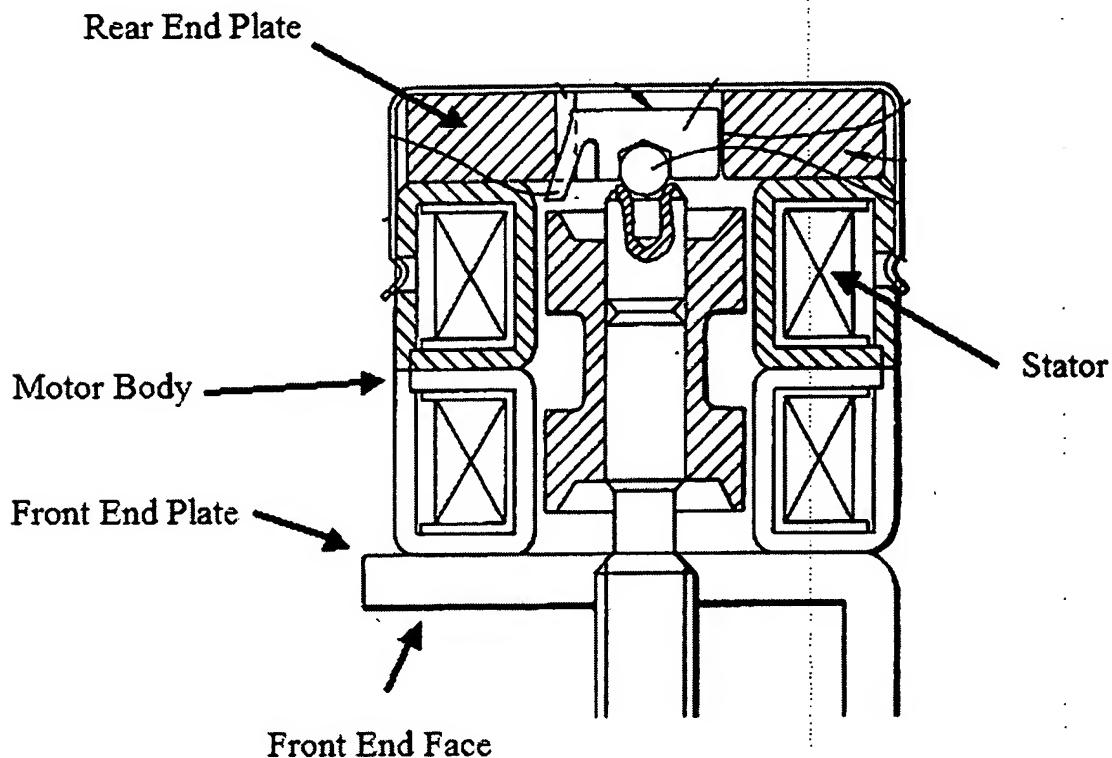
Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5 & 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5811903 supplied by applicant) in view of Iwasaki (JP 2001-309610 supplied by applicant).

With respect to claim 1, Ueno teaches a motor comprising: A cylindrical motor body comprising a hollow cylindrical stator, a front end plate, a front end face, and a rear end plate (as seen below); a rotor (as seen in Fig. 14) being fixedly attached to a rotary shaft wherein the rotary shaft has a front end portion that sticks out of the front end face of the motor body (as seen in Fig. 14); a thrust member (of the type as seen in Fig. 7, #9; the limitation of the thrust member being formed by stamping and bending a metal sheet is a method limitation given little patentable weight in an apparatus claim), the thrust member comprising: At least two arm segments (Fig. 7, #9d) attached to predetermined areas on the outer surface of the motor body (as seen in Fig. 14); and a plurality of shoulder segments (as seen in Figs. 6 & 7) to bridge the arm segments to and to urge the thrust segment toward the rotary shaft, wherein the thrust segment is shaped such that it is positioned at the rear end of the rotary shaft and prohibits the rotary shaft only from axially moving in a rearward direction when the thrust member is mounted on the motor with the arm segments being attached to the predetermined areas on the outer surface of the motor body, but it does not teach the thrust member

comprising a hump segment touching the end face of the shaft. However, Iwasaki teaches a thrust member (Fig. 3, #353) formed from a hump segment that touches the end face of a shaft (as seen in Fig. 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the thrust member of Ueno in view of the hump segment as taught by Iwasaki because it provides an equivalent means for applying an elastic force to a motor shaft that has the added benefit of reducing the cost, and simplifying the construction of a motor (Iwasaki, Paragraphs 33-36).



With respect to claim 2, Ueno in view of Iwasaki teaches the motor of claim 1, and Ueno teaches that the rotary shaft has a worm gear (Fig. 1, #4) attached to the front end portion thereof.

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With respect to claims 3, 9 & 10, Ueno in view of Iwasaki teaches the motor of claims 1, and Ueno teaches that the thrust member receiving portion is constituted by cutouts (of the type as seen in Fig. 14), but it does not teach that the thrust member receiving mechanism is provided at the front end face of the motor body. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the thrust member receiving mechanism at the front end face of the motor body since it has been held that changing the position of an element of an invention is *prima facie* obvious in the absence of new or unexpected results (*In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950)).

With respect to claim 4, Ueno in view of Iwasaki teaches the motor of claim 1, and Ueno teaches that the arm segments are detachably attached to the predetermined areas of the motor body.

With respect to claim 5, Ueno in view of Iwasaki teaches the motor of claim 1, and Iwasaki teaches that the thrust member is fixedly attached, and it would have been obvious to one of ordinary skill in the art at the time of the invention to fixedly attach the arm segments of Ueno since it has been held that "the use of a one piece construction...would be merely a matter of obvious engineering choice." (*In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965)).

With respect to claims 11 & 12, Ueno in view of Iwasaki teaches the motor of claim 1, and Ueno teaches that the motor body has, at the outer surface thereof, an embossed (as seen in Fig. 13) or recessed guiding mechanism (as seen in Fig. 14), to which portions of the thrust member are fitted.

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Response to Arguments

Applicant's arguments with respect to claims 1-5 & 9-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

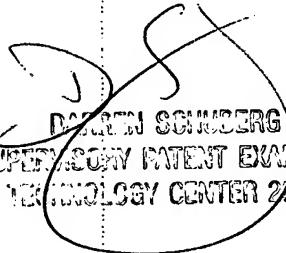
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 1586450, US 2938755, US 3836214 & US 4616940

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik D. Preston whose telephone number is (571)272-8393. The examiner can normally be reached on Monday through Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


04/19/2006


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800